AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

MIDDLE District of TENNESSEE

ENERGY AUTOMATION SYSTEMS, INC.

V.

XCENTRIC VENTURES, LLC and
EDWARD MAGEDSON

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 3-06- 1079

JUDGE TRAUGER

TO: (Name and address of Defendant)

Edward Magedson
1138 S Rose
Mesa, AZ 85204

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

John R. Jacobson
William L. Campbell, Jr.
W. Russell Taber
Bowen Riley Warnock & Jacobson, PLC
1906 West End Avenue
Nashville,TN 37203

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

KEITH THROCKMORTON
CLERK

NOV - 6 2006
DATE

(By) DEPUTY CLERK

RETURN COPY

Dockets.Justia.com

RETURN OF SERVICE

Service of the Summons and complaint was made by me[1]	DATE June 21, 2007
NAME OF SERVER *(PRINT)* Rafael Bencomo	TITLE Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☒ Other (specify): Hand delivered to Marie Crimi-Speth, 3200 N. Central suite 2000 Phoenix, Az 85012, attorney Response to Plaintiff's Motion to Substitute Service, agreed accept service on his behalf,

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL $0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 22, 2007 — Rafael Bencomo
Date — *Signature of Server*

520 E. Portland Phoenix, Arizona 85004
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.